IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATINO NO.757 OF 2007
IN
CRIMINAL APPEAL NO.107 OF 2006

Mehtab Alam Lalai Choudhari .. Applicant
V/s
State of Maharashtra .. Respondent

Mr.M.M.Khokawala with Ms.Megha Puralkar for Applicant.
Ms.S.D.Shinde, APP for Respondents.

CORAM : DR.S.RADHAKRISHNAN, &
SMT.R.S.DALVI, JJ.

DATE : 18th July, 2007.

P.C.:

1. Heard the learned Counsel for the Applicant and the learned APP for the State. By this application, the Applicant - original Accused is seeking a bail. We have perused the trial Court's judgment and order. In paragraph No.30 of the judgment, the trial Court has categorically observed that the chit being Exhibit 10 was handed over by P.W.No.2 to the Applicant accused on 23.05.2001 and the very same chit was tendered by the complainant to the Police Station on 24.05.2001 wherein it was mentioned that the ransom amount demanded was Rs.60,000/-. The learned Judge has categorically given a finding that the involvement of the Accused in offence was clear. Over and above, the Applicant accused has admitted in his statement under Section 313 of the Code of Criminal Procedure, that, in the presence of the Police Officer the custody of the boy was handed over by P.W.No.4 - Mrs.Kamrunisha after he identified the boy. Under these circumstances, this is not a conviction

based on no legal evidence.

2. Hence we are not inclined to grant bail. Criminal Application stands rejected.

(SMT.R.S.DALVI, J.) **(DR.S.RADHAKRISHNAN,J.)**